

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

REAL PROPERTY LOCATED AT 1044
CHERRY DRIVE, TOWNSHIP OF
ELDERON, MARATHON COUNTY,
WISCONSIN, WITH ALL
APPURTENANCES AND
IMPROVEMENTS THEREON;

and

REAL PROPERTY LOCATED AT 794
CHERRY DRIVE, TOWNSHIP OF
ELDERON, MARATHON COUNTY,
WISCONSIN, WITH ALL
APPURTENANCES AND
IMPROVEMENTS THEREON,

Defendant.

DOCKET#
U.S. DISTRICT COURT
WEST DIST. OF WISCONSIN

JUL 26 2010

Case No. 08-C-564

ORDER VACATING JUDGMENT IN PART AND
ORDER OF FORFEITURE

Upon application of the United States of America, and review of the entire file in this case, the Court hereby finds:

1. The Judgment In a Civil Case entered in favor of plaintiff United States of America on February 11, 2010, is vacated as to real property located at 794 Cherry Drive, Township of Elderon, Marathon County, Wisconsin. Therefore, all right, title,

and interest of Randal Fenske in the real property located at 794 Cherry Drive, Township of Elderon, Marathon County, Wisconsin is return to him.

2. The Stipulated Settlement Agreement is incorporated herein by reference and attached to this order.


3. The seventy-five thousand dollars (\$75,000.00) as substitute res for the real property located at 794 Cherry Drive, Township of Elderon, Marathon County, Wisconsin, is condemned and forfeited to the United States of America pursuant to Title 21, United States Code, Section 881(a)(7).

4. The United States Marshal is directed to dispose of the seventy-five thousand dollars (\$75,000.00) in accordance with federal law.

5. The government is to file a release of lis pendens for the real property located at 794 Cherry Drive, Township of Elderon, Marathon County, Wisconsin with the register of deeds for Marathon County upon receipt of the seventy-five thousand dollars (\$75,000.00) substitute res.

6. This order does not affect the property located at 1044 Cherry Drive, Township of Elderon, Marathon County, Wisconsin which was forfeited to the government on February 11, 2010, pursuant to the judgment entered on that date.

ORDERED this 23rd day of July 2010.


BARBARA B. CRABB
United States District Court Judge